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RIGHTS AND PRIVILEGES

OF THE

ELECTORS IN THE NORTH- WEST TERRITORIES

In Matters pertaining to the Election of Members
of the House of Commons of Canada

Setting forth, in as concise form as possible, the Qualifications of Electors; preparation of Voters' Lists by Enumerators; duties of Deputy Returning Officers; and Privileges of Electors on the Polling Day, as provided by the Dominion Election Act of 1900, conjointly with the North-West Territories Representation Act.

PREPARED EXCLUSIVELY FOR THE GUIDANCE OF
WORKERS AND CANVASSERS OF THE
LIBERAL-CONSERVATIVE PARTY

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TO THE LIBERAL-CONSERVATIVE PARTY OF THE NORTH-WEST TERRITORIES

Owing to the fact that the law governing elections in the Territories for the House of Commons is very different from the law as applied to Dominion elections in all other parts of Canada, and as the Dominion Election Act of 1900 contains many sections that do not apply to the Territories, and as the sections, paragraphs or clauses of the Act, which do apply must be read and construed conjointly with the North-West Territories Representation Act and amendments thereto, it becomes almost impossible by a limited reference to these Acts, to ascertain what are the rights, duties and privileges of the electors when a Dominion Election is being conducted in the Territories.

In order to overcome this difficulty as much as possible, and to explain the law in reference to the qualifications of the voter; the nomination of the Candidate; the preparation of the list; duties of Deputy Returning Officers and the rights and privileges of the individual elector in the preparation of the Enumerators' lists and on polling day; this pamphlet has been prepared.

It does not pretend to deal with the Election Act of 1900, and the North-West Representation Act as a whole, but only to such portions as affect the rights of the individual elector; in order that he may know what his rights are, and be able to insist on the same on the day of election, as well as to point out to him what constitutes fraudulent and illegal acts, so far as to prevent him from innocently doing some act which has been declared to be, by the Statutes of Canada, illegal or fraudulent.

There are many matters concerning the election of a member of the Dominion House of Commons which have not been dealt with in this pamphlet, because it was felt that it would not be wise to deal with matters of a purely technical nature, and which would not interest one reader in a thousand, but to confine every paragraph to a subject that especially interests every worker of the party.

Should any Conservative wish information upon any point that is not dealt with in this pamphlet the same will be furnished to him at once, if he communicates with the Organizer of the party, W. H. Hastings, Box 415, Winnipeg.

Every Conservative in the Territories who comes into possession of this pamphlet should devote sufficient time to the study thereof, so as to become familiar with the law, not only for his own guidance, but in order to be able to instruct any and all others with whom he may come in contact, as to what their rights and privileges are.

QUALIFICATION OF ELECTORS.

The following is the qualification of electors in the North-West Territories as prescribed by the Parliament of Canada:—

Every male person shall be qualified to vote at the election of a member for the House of Commons who, not being an Indian, is a British subject and of the full age of twenty-one years, and has resided in the North-West Territories for at least twelve months and in the electoral district for at least three months, immediately preceding the issue of the writ of election.

The above qualifications are taken from the North-West Representation Act, and constitute the only qualifications necessary to entitle a person to the right to a vote, *but such person must possess all these qualifications.*

THREE MONTHS' RESIDENCE.

You will observe that no provision has been made to cover a case where a person has resided one year in the Territories but not three months in the electoral district where he is residing at the time the writs for the election are issued; consequently if a person has moved from one electoral district to another within three months of that date he has lost the right to the franchise and has no right to vote either in the district he has moved to or the one he has left. In case, if challenged at the poll in either district, he could not swear to a three months' residence immediately preceding the issue of the writs for election. Be careful not to allow any Grit votes to be polled when the party has moved out of your district within three months above mentioned, and likewise do not allow any Grit to vote who has not resided that length of time within your district. The act of moving from one place to another within the three months disqualifies him as a voter, no matter how long he may have resided in some other part of the North-West Territories.

RULES AS TO RESIDENCE OF ELECTORS.

For the purpose of deciding the residence of electors under the provisions of this Act, the place of residence of any person may be determined by the following rules as they are applicable:—

- (a) The residence of a person shall be considered and held to be the place in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning;
- (b) A person shall not be held to have lost his residence who leaves his home to go to another country or province, for temporary purposes only, and with the intention of returning;
- (c) A person shall not be considered to have gained a residence in the Territories or an electoral division thereof if such a

person came for temporary purposes only, without the intention of making the Territories and some place in the electoral division his home;

- (d) If any person go into another country or province with the intention of making it his residence he loses his residence in the Territories;
- (e) If any person remove to another country or province with the intention of remaining there for an indefinite time as a place of residence, notwithstanding he entertains the idea or intention of returning at some future time, he loses his residence;
- (f) The place where a man's family resides shall be held and pronounced to be his place of residence, but any man who takes up his abode with the intention of remaining at a place other than where his family resides, shall be registered as a resident of where he abides;
- (g) The residence of a single man shall be where he sleeps, without regard to where he takes his meals or where he is employed;
- (h) A change of residence can only be made by the act of removal joined with the intent to remain in another place; there can be only one residence; a residence cannot be lost until another is gained;
- (i) The time of residence must be computed by including the day on which a person's residence commences and by excluding the day of the date of writ of elections.

PERSONS DISQUALIFIED FROM VOTING.

7. The following persons shall be disqualified and incompetent to vote at any Dominion election, whether disqualified and incompetent or not to vote at a Provincial election:—

- (a) The Judges of every court now existing or hereafter created whose appointment rests with the Governor-General;
- (b) Persons disfranchised for corrupt practices under sections 126 and 129 of this act;
- (c) Persons disfranchised for taking bribes under section 15 of the *Act to Disfranchise Voters Who Have Taken Bribes*, being chapter 14 of the Statutes of 1894.

The above clause is taken from the Dominion Election Act of 1900.

ENUMERATORS FOR MAKING UP LISTS— NOW APPOINTED.

28. The Governor-in-Council may appoint Enumerators to make lists of the electors in the electoral district; and if such appointments

have not been made before the issue of a writ for the election, the Returning Officer, immediately upon his receiving such a writ, conjointly with any two Justices of the Peace, or with one Justice of the Peace and a Notary Public, or with any one of them, resident in or near the electoral district, and two electors of such district, neither of the number being a Candidate, shall appoint under their hand a competent and reliable person to be Enumerator for any one or more polling divisions of such district; and the Returning Officer shall see that no polling division is omitted to be included in some one of such appointments:

(2). The Enumerator shall, before acting as such, take the oath of office, in the Form J, in the schedule of this Act, which oath reads as follows:

J.

Oath of Enumerator.

I, the undersigned, I. J., appointed Enumerator for the polling district No. , (or as the case may be) of the electoral district of , solemnly swear (or, being one of the persons permitted by law to affirm in civil cases, solemnly affirm) that I will act faithfully in my said capacity of Enumerator, without partiality, fear, favor, or affection: So help me God.

(Signature), I. J.,
Enumerator.

Any Enumerator who neglects or refuses to perform his duties in an impartial way, is guilty of perjury and should at once be reported to our Central Committee.

DUTIES TO BE PERFORMED BY ENUMERATORS.

Section 29 of the North-West Territorial Representation Act reads as follows:

29. Each such Enumerator, upon his appointment, and having taken the oath of office, shall immediately thereafter compile a list of the persons qualified as electors to vote at the election then pending, for the polling divisions for which he has been appointed; and he shall make three plainly written copies of the same, with the names of the voters alphabetically arranged, giving the occupation and residence of each voter, in Form K, in this schedule of this Act."

The section quoted above, gives great powers to the Enumerator in the preparation of the list for your polling sub-division; he can add thereto the name of any person he sees fit, whether such person possesses the qualification or not, and he can refuse to put a name upon the list, no matter how clearly it is shown to him that such person is entitled to become a voter in this particular polling sub-division.

This great power vested in the Enumerator should not at all discourage the Conservatives in their efforts to get a perfect list in their particular polling subdivisions, but should rather stimulate them on to greater efforts in that direction.

If you will only start to work when the Enumerator is appointed with a firm determination that *you will have "a fair and honest list"* in your subdivision; you will be astonished to find how nearly you have accomplished that object on the day of election.

If every Conservative who reads this pamphlet will only adopt that principle, and work for its accomplishment along the lines laid down therein, there will be no doubt as to the Conservatives in the Territories achieving a great political victory.

At all events *you be one* to adopt and carry into effect by your work and your energy the motto "*a fair and honest list*" and you will be rewarded on the evening of the election by the extra good showing our Candidate will have made at your poll.

Section 30 of the North-West Territories Representation Act provides as follows:

30. Each Enumerator shall complete, date at his place of residence and sign the copies of the voters' list or lists, as aforesaid, *eight days before the polling day*; two of the said copies for each polling division he shall forthwith post up in two of the most public places within such polling division and the other he shall retain for revision.

You will notice by perusing this section that the Enumerator must complete and post up in two of the most public places within the polling subdivision, *eight days before polling day*, copies of the voters' list prepared by him, dated at his place of residence and signed by him as such Enumerator.

Don't fail to have some person on behalf of the Conservative party make a full and complete copy of the list in each and every polling subdivision as soon as the same has been posted up, as aforesaid.

Some person should be specially appointed beforehand to make this copy, so that this part of our duty will not be overlooked.

If the list is not posted up in *your* polling subdivision eight days before polling day, *you* should go at once to the Enumerator and call his attention to the law, and also report the matter at once to the Chairman or Secretary of the Conservative Committee having charge of your polling subdivision.

From the time the Enumerator is appointed until two days prior to polling day our friends in each polling subdivision should see that applications are made to the enumerator to have the names of every Conservative within the subdivision added to the list he is preparing.

Any person can make application to the Enumerator to have the name of another person added, and the Enumerator is in duty bound

to add such person upon the application of another, provided he is fully satisfied from the representation made to him that such person possesses the necessary qualifications,

One person can make application in this way for any number of persons.

Be certain that application is made to have every Conservative voter in your polling subdivision added to the list at least two days before polling day.

If the Enumerator refuses to add the name of any Conservative to the list, be sure to send word to such Conservative in plenty of time to allow him to make personal application to be added.

Section 31 of the North-West Representation Act reads as follows:

31. If any Enumerator, at any time, after posting up any voters' list, and two days before the polling day, is fully satisfied from representations made to him by any credible person, that the name of any qualified elector has been omitted from the voters' list of the polling division to which such voter belongs, he shall add such name to the copy of the list in his possession below his own signature, and shall attest such addition by his initials; if the Enumerator, in like manner, is fully satisfied that there is on the list the name of any person who is not qualified as a voter in such polling division, he may draw erasing lines through such name, and write his own initials opposite thereto in the column for "remarks;" and if the Enumerator finds the occupation, addition or residence of any voter to be inaccurately stated in the list, he may make the necessary alterations and affix his initials thereto, in like manner.

The above is another section in the North-West Representation Act that gives great discretionary powers to the Enumerator, and for that very reason, the acts of your Enumerator under the provisions of this section should be watched with the greatest care in order to prevent any attempt to deprive the Conservatives of their just rights in your subdivision.

Under this section the Enumerator is empowered to add to or strike from off the list he has previously prepared, any name or names he sees fit.

This was a section that was no doubt placed upon the statute book for the purpose of allowing the Enumerator to revise or correct and perfect the list he had previously made up, but it is a power that an unscrupulous Enumerator can very easily abuse; we should, however, take advantage of the purpose for which the section was inserted in the Act, and endeavor by all means in our power to get a list as nearly perfect as possible under the provisions of this particular section.

WHAT SHOULD BE DONE IN EVERY POLLING SUBDIVISION AFTER THE LISTS HAVE BEEN POSTED UP.

1st. Have a complete copy of the list made at once, as directed in the remarks herein under section 30.

2nd. Check the list over very carefully to see if any names have been added thereto who do not possess all the qualifications.

If any such names are found upon it have some person or persons who know all the facts go at once to the Enumerator and point out to him the lack of qualifications and endeavor to induce him to strike such names from off the list. If he refuses to do so, be sure that definite instructions are given our scrutineers to have such persons sworn when they apply for a ballot on the day of election.

3rd. Check the list over very carefully to see that the name of every Conservative who is entitled to vote in your polling division is on the same.

If it is found that the names of any Conservatives have been left off the lists someone who knows such Conservatives and can give satisfactory assurances to the Enumerator that they possess the qualifications, should at once make application to the Enumerator to have such names added.

If he refuses to add the same, word should be sent to the parties urging them to make personal application to the Enumerator to have their names added.

Remember that all applications to the Enumerator to amend the list in any way must be made at least two clear days before polling day.

When it comes within two days of polling day the Enumerator has no right or power to amend, change, or alter the list in his possession.

Let every Conservative worker strive to get a perfect list in the Enumerators' hands at least two clear days before polling day—don't trust to having names of Conservatives added to the list by the Deputy Returning Officer on polling day, when it can possibly be avoided.

Remember that elections are won, not on polling day, but in the preparation and correction of the voters' list.

Don't let your district be lost by neglecting the voters' list.

4th. When you are within two days of polling day see that the copy of the list we have previously made is taken by some Conservative to the Enumerator and the same changed and corrected so as to show all additions, erasures and corrections which the Enumerator has made in the list in his possession, so as to have a perfect copy of the list that will be in the hands of the Deputy Returning Officer on the day of election.

The list should again be gone over to see if any fraudulent names have been added or the names of any bona fide Conservative struck off by the Enumerator.

The list should then be marked with full instructions to the Inside Scrutineers, showing who to swear and upon what particular grounds, and also any other objections that should be taken at the poll to any name appearing on the list; when this is completed the list should be handed over to the Inside Scrutineers, so that they will have an opportunity of becoming familiar with all instructions before the poll opens.

OUR RIGHTS AND PRIVILEGES WHEN CONSERVATIVE NAMES HAVE BEEN LEFT OFF THE LIST BY THE ENUMERATOR.

Undoubtedly many instances will arise where the names of Conservatives have been left off the list by the negligent or fraudulent acts of the Enumerator, and the law is so framed as to safeguard the rights of the electors in such cases.

The North-West Representation Act provides as follows: "If any elector finds that his name is not on the voters' list of the polling division to which he belongs, he may apply to the Enumerator, not later than two days before the polling day, to have his name added to the said list."

If he has neglected to make application under the above clause, or having made application and the Enumerator refused to add his name, he is still protected in his right to cast a vote on the day of election, by section 44 of the North-West Representation Act, which reads as follows:

44. The Deputy Returning Officer shall, while the poll is open, if required by any person whose name is not on the voters' list, administer to such person oath number one in the said form P; and such oath having been taken, the Deputy Returning Officer shall at once cause such person's name to be added to the voters' list with the word "sworn" written thereafter.

The oath which the elector has to take under the above section in order to have his name added to the list by the Deputy Returning Officer is as follows:

"You do swear that you are of the male sex and a British subject, that you are not an Indian, that you are the full age of twenty-one years, that you have resided in the North-West Territories for at least twelve months and in the electoral district for at least three months immediately preceding the issue of the writ of election: So help you God."

This clause in the Act should be carefully studied by every worker of the party so as to be able to instruct all electors whose names are not upon the Enumerator's list, in order that such electors will know and understand the law and be able to insist upon their rights when they enter the poll on the day of election.

Inside scrutineers especially should know this clause most perfectly in order to insist upon it being carried out to the letter by the Deputy Returning Officers.

Applications under the above section must be made at the polling subdivision in the district. It is most important to keep this fact clearly in mind as we lost hundreds of votes in the last election by our friends going to other polls than the ones they were entitled to vote at and asking to be allowed to vote under the above section and were refused by the Deputy Returning Officers. Don't allow this fatal mistake to be repeated in the coming election. Whenever any of our friends have been left off the list they must apply at their own polling place on the day of election in order to get the privilege of voting. Impress this fact on all our friends.

If a person who has the right to vote at a particular poll goes to the Deputy Returning Officer of the particular poll on the day of the elections and offers to take the above oath or oaths the Deputy Returning Officer is bound to administer the same and add such name to the list.

There is no discretionary power whatever given to the Deputy Returning Officer under this section; the act says he *shall* administer the oath, and having done so, he *shall* cause such name to be added to the list.

Section 52 of The North-West Representation Act provides for this, and reads as follows:

52 The poll clerk shall make such additions, alterations, and erasures in the voters' list, and such entries in the poll book as the Deputy Returning Officer directs him to make, as is required by any provision of this Act. 49 V., c. 24, s. 52.

Don't allow the Deputy Returning Officer or Grit Scrutineers to bluff you upon this clause, but insist upon your rights.

If a Conservative makes such an application don't allow him to leave the poll, or any other elector to vote, until his name has been added and his ballot placed in the ballot box.

If the Deputy Returning Officer still refuses to administer such oath or to add such name after the oath has been administered, call his attention to section 20 of the Election Act of 1900, which reads as follows:

20. Every Returning Officer, Deputy Returning Officer, Election Clerk or Poll Clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this Act, shall, for such refusal or neglect, forfeit the sum of \$200 to any person who sues therefor.

If he still refuses after being shown the above section don't allow the party making the application to leave the poll, keep him there all day, or at least until the Deputy Returning Officer causes him to be *forcibly ejected from the poll.*

Block all proceedings at the poll until such elector has his rights granted him.

If any Deputy Returning Officer absolutely refuses to give such elector his rights and ejects him from the poll, see that an action is at once brought against him under section 20, quoted above. *The Conservative Association of the Territories will protect you against any loss in such an action.*

Don't allow the Deputy Returning Officer to add any Grit names to the list on polling day under the above section without administering the above oath, he has no right or power to do so; insist upon the oath being administered before the name is added.

Section 32 and 33 of the North West Representation Act, defines the duties of the Enumerator regarding the lists after the same has been corrected by him as provided by section 31, the clauses read as follows:

32. Every Enumerator, having revised and corrected such retained copy of each voters' list compiled by him, if he deems such correction necessary, as provided in the next preceding section, shall write at the foot of each copy and close the last name thereon two days immediately preceding the polling day, a certificate in the form of the second certificate contained in Form K, in the schedule to this Act. 49 V., chap. 24, sec. 32.

33. The Enumerator shall deliver the voters' list so certified forthwith, or before eight o'clock in the morning of the polling day, to the Deputy Returning Officer for the polling division to which it relates, and such list, as received by such Returning Officer, shall be the voters' list for such polling division subject to be further corrected on the polling day as hereinafter provided.

In the preceding pages we have dealt with the law relating to the qualifications of the voter and the preparation of the voters' lists in the Territories; and if in consequence of this pamphlet having been distributed among our friends, dealing fully with these two subjects, the Conservative party make a gain of one vote in your polling district, we will be more than repaid for the trouble we have gone to in putting the law before you in a concise form and explaining the different sections.

DUTIES OF DEPUTY RETURNING OFFICERS AND RIGHTS OF CONSERVATIVE SCRUTINEERS IN THE POLLING BOOTH ON DAY OF ELECTION

The Conservative Candidate is entitled to have two inside Scrutineers or Agents present at the same time, representing his interests, from the opening of the poll, at 9 a.m., until the close of the same, including the counting of the ballots and closing of the ballot boxes, as prescribed by both Acts; section 41, of the North-West Representation Act covers this point, and reads as follows:

41. In addition to the Deputy Returning Officer and his Poll Clerk, each Candidate and his Agent, or in such Candidate's absence any two Agents of such Candidate, and no others, shall be permitted to remain in the room or place, or that part thereof where the votes are recorded.

Sections 53 and 54 of the Election Act of 1900 also apply to the Territories, and read as follows.

53. In addition to the Deputy Returning Officer and the Poll Clerk, the Candidates and their Agents (not exceeding two in number for each Candidate in each polling station) and, in the absence of Agents, two electors, to represent each Candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given, during the time the poll remains open.

Provided always, that any Agent bearing a written authorization from the Candidate, shall always be entitled to represent such Candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this section.

54. Any person producing to the Returning Officer or Deputy Returning Officer, at any time, a written authority from a Candidate to represent him at the election or at any proceeding of the election, shall be deemed an Agent of such Candidate within the meaning of this Act.

From the above sections it will be easily seen that the Conservatives are entitled to have two inside Scrutineers at every poll at the one and same time. As a party we can have as many outside Scrutineers at each poll as we desire, as the law does not limit us in any way upon that right.

Our inside Scrutineers or either of them have the right to challenge any person appearing at the poll for the purpose of voting, and any voter so challenged must, before he can receive a ballot, take either one or both the oaths prescribed by The North-West Representation Act. The law upon this point is very clear and distinct. Sections 43 and 44 of the said Act read as follows:

43. Every Deputy Returning Officer *may and shall*, when he is required to do so by any Candidate or Agent of a Candidate, administer to any elector either one or both of the oaths set forth in form P, in the schedule to this Act.

45. Every person whose name is on the voters' list, unless sworn as in the next preceding section provided shall, before being permitted to vote, if required by any Candidate, Agent or elector, take the said oath number one, and if he refuses to take the same, erasing lines shall be drawn through his name on the voters' list and words "refused to be sworn" written thereafter.

The form of oaths referred to in the above section are as follows

Oaths Taken by Electors.

No. 1.

" You do swear that you are of the male sex and a British subject, that you are not an Indian, that you are of the full age of twenty-one years, and that you have resided in the North-West Territories for at least twelve months, and in this electoral district for at least three months, immediately preceding the issue of the writ of election. So help you God."

No. 2.

" You do swear that you have not received any money or other reward, nor have you accepted any promise made to you, directly or indirectly, to induce you to vote at this election and that you have not before voted at this election in this electoral district, either at this or any other polling station. So help you God."

It will be observed from the above quotations that the Deputy Returning Officers *must* administer either one or both the above oaths if the voter is challenged at the poll by a duly authorized Scrutineer of either of the Candidates.

Don't allow the Deputy Returning Officer to dictate to you upon this point, but insist upon your rights whenever occasion arises to do so.

Section 46 of The North-West Territories Representation Act reads as follows

46. Every voter shall be entitled to vote whose name is on the voters' list and has not been erased therefrom in accordance with the foregoing provisions of this Act, or whose name is added to the said list as herein provided; but if any such voter, when required by the Deputy Returning Officer, or any Candidate, Agent or Elector, refuses to take oath number two in the said form P, he shall not be permitted to vote, and if his name has been entered in the poll book erasing lines shall be drawn through it and the words "refused to take oath number two" written thereafter

The above section is embodied in the Act to cover the case of a party appearing at the poll on the day of election, whose name is not on the Enumerator's list; and who, after taking oath number one, and having had his name added to the list, is challenged by a Scrutineer on the ground of bribery. In such case the voter must take oath number two before he can vote.

The above section does not allow a person whose name is on the Enumerator's list to escape from oath number one, if the Scrutineers ask to have both oaths administered. Make it a point to have two duly authorized Agents of the Conservative Candidate at all times, from the opening of the poll until after the ballots have been counted and the

ballot box locked, present to watch closely every action of the Deputy Returning Officer, Poll Clerk and Grit Scrutineers, so as to prevent any fraud being perpetrated upon the ballot box at your poll.

These instructions should be carefully read and studied in conjunction with the instructions to Scrutineers (the latter are printed in a separate pamphlet and may be had on application to the Secretary of your Committee) by all our friends who are appointed to act as inside Scrutineers on polling day.

THE RIGHT OF INSIDE SCRUTINEERS TO VOTE AT A POLL AWAY FROM THEIR OWN POLLING SUBDIVISION

Section 48 of The North-West Representation Act governs the rights of Scrutineers or Agents voting at a different poll from the one where their name is on the Enumerator's list, and reads as follows:

48. Any Deputy Returning Officer, Candidate, Agent or Poll Clerk, who belongs to a polling division other than the one at which he is stationed on polling day, shall be permitted to vote at the polling station where he is so stationed, provided he produces a certificate from the Enumerator of the polling division to which he belongs, that he is a qualified voter in such polling division, which certificate such Enumerator shall give gratis to any qualified elector who is so stationed outside his own polling division.

When any of our friends contemplate voting at another poll on the day of election they should be thoroughly impressed with the knowledge of the fact, that to be in a position to insist upon casting a vote at such other poll they must comply strictly with the provisions of the above section in the following particulars:

1st. *Have a certificate in such person's possession from the Enumerator of the polling division to which he belongs showing that he is a qualified voter in such polling division.*

The Enumerator is bound to give any qualified voter, whose name he has added to his list such certificate upon receiving application to the same without making any charge therefor, and if he refuses to grant the same, he is liable to a penalty of \$200.00 for each and every case where he refuses to grant such certificate.

2nd. *In addition to the Enumerator's certificate, such person must produce a paper signed by the Conservative Candidate appointing such person to act at such poll as his Agent.*

The different Committees will be supplied with these forms appointing Agents, signed by the Candidate; and may be had upon application to the Secretary of your Committee.

Don't allow a Conservative to leave your polling subdivision with the idea that he will be able to vote at another poll unless he has in his possession the Enumerator's certificate and his appointment as Agent.

Unless he has both these papers he will not be allowed to vote at another poll.

Impress these facts very strongly upon all friendly voters. Always strive to have all Conservative voters vote at the poll to where they belong rather than run the risk of voting at another poll, as something may arise to prevent them from getting to the other poll on election day.

Watch very closely all persons who appear at your poll armed with an Enumerator's certificate and an Agency certificate from the Grit Candidate, and under no consideration allow such person to vote until he has taken both oaths, as prescribed in the Act, and which form of oaths are printed elsewhere in this pamphlet. It is a common practice with the Grits, where they have a man who would not dare to take the oaths if challenged at the poll where he lives and is known, to arm him with these certificates and send him to another poll under the pretense of acting as inside Scrutineer for the Grit Candidate, but in reality in the hope of getting the vote polled where he is not known, without being sworn.

Be sure that no fraudulent vote is by this means polled in the coming election by Grit Agents from other polls in your polling division; no matter whether you know the party personally or not, upon principle swear him and insist upon his taking both oaths, numbers one and two, before he receives a ballot.

Act upon the principle that every person attempting to vote upon the Grit Agency certificate is an attempt to poll a fraudulent vote. And in all cases where such person takes the oaths and votes, send a report of such fact to either the Conservative Candidate or to his Central Committee immediately after the poll closes.

Any number of persons can vote at the one poll upon Enumerator's and Agency certificates.

Section 61, of the Election Act of 1900, limits the number of persons voting at one poll on these certificates to two for each Candidate, but that particular section does not apply to the elections in the North-West Territories.

Therefore there is no limit as to the number of Conservatives who may vote at the one poll when they produce the two certificates above referred to.

Don't allow the Deputy Returning Officer to limit you to two votes under section 61, if you desire to vote more than that number at your poll.

Call his attention to section 2 of the Act, and his liability to a penalty under section 20.

Insist upon our rights in this respect if the occasion arises. Should the Conservative candidate be represented at the poll by two authorized Agents (the number allowed by law) and a party appears at the poll with certificates of Enumerator and from our Candidate, one of the Agents can retire from the poll, and the person can at once claim the right to be installed as Agent and then demand the right to vote upon the certificates.

As soon as he has voted he can at once leave the poll, and the Agent who retired when he came in can again present himself to the Deputy Returning officer as the Agent of our Candidate, and such Deputy Returning Officer is bound to allow him to act again in that capacity; this procedure can be repeated throughout the day just as often as the occasion may arise.

The Poll Clerk shall act in place of Deputy Returning Officer if he fails or is unable to perform his duties. Section 50 of the North-West Representation Act provides for a contingency of this nature and reads as follows:

50. If the Deputy Returning Officer is unable or fails to perform his duties the Poll Clerk shall act in his place without taking any further oath of office, and he shall appoint another Poll Clerk who shall take the oath of office as such hereinbefore prescribed.

THE BALLOT BOX TO BE OPENED AND EXAMINED AT THE HOUR OF OPENING THE POLL IN THE PRESENCE OF AGENTS.

Sections 62 and 63 of The Election Act provide as follows:

62. At the hour fixed for opening the poll, the Deputy Returning Officer and the Poll Clerk shall, in the presence of the Candidates, their Agents and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers therein, after which the box shall be locked, and the Deputy Returning Officer shall keep the key thereof.

63. Immediately after the ballot box is locked, as above provided, the Deputy Returning Officer shall call upon the electors to vote.

(2). The Deputy Returning Officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station.

Clauses from The Election Act governing proceedings at the poll on the day of election, and applicable to the Territories, are as follows.

62 The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until five of the clock in the afternoon of the same day, and each Deputy Returning Officer shall, during that

time, in the polling station assigned to him receive, in manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station.

55. Whenever in this Act any expressions are used, requiring or authorizing any act to be done, in the presence of agents of the Candidates, such expressions shall be deemed to refer to the presence of such Agents of the Candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act, or thing, is being done; and the non-attendance of any agents or agent at such time and place shall not, if the act, or thing, is otherwise duly done, invalidate in any wise the act, or thing, done.

56. A Candidate may, himself, undertake the duties which any Agent of his, if appointed, might have undertaken, or may assist his Agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend.

57. Every Returning Officer or Deputy Returning Officer of an electoral district, and every partner or clerk of either of them, who acts as Agent for any Candidate in the management or conduct of his election for such electoral district, is guilty of an indictable offence.

Conservative Agent, who has been sworn to keep secret what takes place at poll, is entitled to see that the Deputy Returning Officer makes all ballots of illiterate persons according to such persons' dictation; sections 58 and 75 of the Election Act provides for this, and these sections read as follows:

58. One of the Agents of each Candidate, and, in the absence of such Agent, one of the electors representing each Candidate, if there is such an elector, on being admitted to the polling station, shall take an oath to keep secret the names of the Candidates for whom any of the voters has marked his ballot paper in his presence, as hereinafter required, which oath shall be in Form Q.

75. The Deputy Returning Officer, on the application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall assist such voter by marking his ballot paper in the manner directed by such voter, in the presence of the sworn Agents of the Candidates, or of the sworn electors representing them in the polling station, and of no other person, and by placing such ballot paper in the ballot box; and the Deputy Returning Officer shall require the voter making such application, before voting, to make oath of his incapacity to vote without such assistance, in the Form W.

(2). Whenever the Deputy Returning Officer does not understand the language spoken by any such elector claiming to vote, he shall swear an interpreter, who shall be the means of communication between him and such elector with reference to all matters required to enable such

elector to vote; and in case no interpreter is found, such elector shall not be allowed to vote.

(3). The Deputy Returning Officer shall enter in the poll book opposite the names of the voters whose ballot papers have been so marked, in addition to what is required by section 78, the reason why each ballot paper was marked by him.

If a person of foreign birth applies to vote, and the Deputy Returning Officer does not understand the language spoken by such person, the Deputy Returning Officer shall give such person a ballot unless such person is challenged, or shows that he does not know how to mark his ballot, in either of which cases, the Deputy Returning Officer shall swear in an interpreter as provided, by sub section 2 of section 75, and in the event of being unable to find such interpreter, he *shall refuse to give such person a vote.*

If we have any friendly voters of foreign birth at your poll who are unable to understand the language of the Deputy Returning Officer, be sure that we have some one at the poll to act as such interpreter when such person applies for a vote.

Scrutineers should have the ballots carefully counted before opening of poll.

This right is given to Agents by section 59 of the Election Act, which reads as follows:

59. Agents and electors entitled to be present in the room of the polling station during polling hours shall be entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and shall be entitled to inspect such ballot papers and all other papers, forms and documents relating to the poll, provided such Agents or electors are in attendance at least fifteen minutes before the hour fixed for the opening of the poll.

It is important to take advantage of the above clause so as to know at the close of the poll that the numbers of unused ballots, together with those in the ballot box, correspond in number to those in the possession of the Deputy Returning Officer at the opening of the poll, in order to be able to detect any fraud or attempted fraud in the way of bogus ballots going into the ballot box during the hours of polling.

All ballots in the possession of the Deputy Returning Officer for use in the election shall be stamped by the Returning Officer with a stamp furnished him by the Clerk of the Crown in Chancery. Be careful that all ballots handed out to Conservative voters have this stamp upon them, as a ballot without this stamp would not be allowed to be counted.

Section 41, sub-section (e) of The Election Act, makes the above provision and reads as follows:

41. The Returning Officer shall furnish each Deputy Returning Officer with a sufficient number of ballot papers (all being of the same description and as nearly as possible alike) to supply the number of voters on the list of such polling division, and a certificate of the number of such ballot papers, and with the necessary materials for voters to mark their ballot papers. Every ballot paper so furnished by the Returning Officer being stamped by him so with a stamp furnished to him for that purpose by the Clerk of the Crown in Chancery, the stamp being so placed on the ballot papers that when the latter is folded by a voter the stamp can be seen without the ballot paper being opened.

**WHAT WRITING SHALL BE PUT ON THE BALLOT PAPER
BEFORE IT IS HANDED TO THE VOTER.**

Before handing a ballot to a voter, the Deputy Returning Officer shall put his initials upon the back of the ballot, and upon the back of the counterfoil attached to the ballot he shall place a number corresponding to the number placed opposite the name of the voter in the poll book.

The law upon this point is governed by section 70 of The Election Act and reads as follows.

70. The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the Deputy Returning Officer a ballot paper, on the back of which such Deputy Returning Officer has previously put his initials, so placed as indicated in form P, that when the ballot is folded they can be seen without opening it, and on the back of the counterfoil of which he has placed a number corresponding to that placed opposite the voter's name in the poll book.

Be sure that all ballots handed out to Conservatives by the Deputy Returning Officer have his initials upon the back, and watch closely to see that all ballots have the counterfoil attached until after the voter has marked the same and handed it back to the Deputy Returning Officer, to be by him deposited in the ballot box.

Section 72 of The Election Act sets out the mode of voting and marking ballots, and reads as follows:

72. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a black lead pencil within the white space containing the name of the Candidate, for whom he intends to vote, and shall then fold up the ballot paper so that the initials and stamp on the back of it and the number on the counterfoil can be seen without opening it, and hand it to the Deputy Returning Officer, who shall, without unfolding it, ascertain by examining his

initials and the stamp and the number on the counterfoil, that it is the same which he furnished to the elector, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot box, which box shall be placed on a table in full view of those present.

Watch very carefully, and see that the counterfoil is detached from all Conservative ballots before they are placed in the ballot box.

If a voter spoils a ballot in attempting to mark the same, he can return it to the Deputy Returning Officer and obtain another in its place, as provided by section 73 of the Election Act, which reads as follows:

73. A voter who has inadvertently dealt with the ballot paper given him in such a manner that it cannot be conveniently used, shall, on returning it to the Deputy Returning Officer, who shall deface it, obtain another ballot paper in its place.

If a person presents himself at the poll on election day and finds that another has voted upon his name, he has the right to demand a vote notwithstanding that fact, by taking the oath prescribed by the Election Act. Section 74 deals with this matter and reads as follows:

74. If a person, representing himself to be a particular elector, applies for a ballot paper after another person has voted as such elector, the applicant, upon taking the oath in Form V, if his name is on the list of voters, in Form T, if his name is not on the voters' list, or in the form required by the Provincial law in such case if there is no list of voters, and otherwise establishing his identity to the satisfaction of the Deputy Returning Officer, shall be entitled to receive a ballot paper, on which the Deputy Returning Officer shall put his initials, together with a number corresponding to the number entered upon the poll book opposite the name of such voter, and he shall thereupon be entitled to vote as any other elector.

PROCEEDINGS AFTER THE CLOSE OF THE POLL

Immediately after the close of the poll, the Deputy Returning Officer shall first place all the spoiled ballots in an envelope and seal it up, and shall then count the number of voters whose names appear on the poll book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "The number of voters who voted at this election in this polling division is . . . (stating the number)," and he shall sign his name thereto; then, in the presence of and in full view of the Poll Clerk and the Candidates or their Agents—and if the Candidates and their Agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors—he shall open the ballot box and proceed to count the number of votes given for each Candidate, giving full opportunity to those present to examine each ballot.

(2). In counting the votes he shall reject all ballot papers which have not been supplied by the Deputy Returning Officer, and those by which votes have been given for more Candidates than are to be elected, and all those upon which there is any writing or mark by which the voter could be identified, other than the numbering by the Deputy Returning Officer in the cases hereinbefore provided for.

81. The Deputy Returning Officer shall take a note of every objection made by any Candidate, or his Agent or any elector present, to any ballot found in the ballot box, and shall decide every question arising out of the objection; and the decision of the Deputy Returning Officer shall be final, subject to reversal on recount or on petition questioning the election or return.

(2). Each objection to a ballot shall be numbered, and a corresponding number placed on the back of the ballot paper, and initialed by the Deputy Returning Officer.

82. The ballot papers being counted and a list kept of the number of votes given to each Candidate, and the number of rejected ballot papers, all the ballot papers indicating the votes given for each Candidate, respectively, shall be put into separate envelopes or parcels, and those rejected, those spoiled and those unused shall be put, respectively, into separate envelopes or parcels, and all such envelopes or parcels shall be endorsed so as to indicate their contents, and shall be sealed by the Deputy Returning Officer, and shall be marked with the signatures of any Agents present in the polling station who are willing to do so, by writing their signatures across the flap thereof, such agents affixing their seals on the flap, if they desire to do so.

The inside Scrutineers should insist upon receiving from the Deputy Returning Officer a certificate showing the number of votes cast for each candidate.

This certificate should be obtained before leaving the poll. The Deputy Returning officer is bound to give this certificate, if requested to do so. See section 43, sub-section 2 of The Election Act, which reads as follows:

(2) The Deputy Returning Officer shall then deliver to each of the Candidates, or to their Agents, or in the absence of such Candidates or Agents, to the electors present representing the Candidates, a certificate, in form A A, of the number of votes given for each candidate, and of the number of rejected ballot papers, and he shall also forthwith after the close of the poll mail to each Candidate, by registered letter, to the address stated in the ballot paper, a like certificate.

SECRECY OF VOTING.

96. Every Candidate, Officer, Clerk and Agent in attendance at a polling place shall maintain and aid in maintaining secrecy of the

voting at such polling place, and no such Candidate, Officer, Clerk or Agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of voters has or has not applied for a ballot paper or voted at that polling place.

No Candidate, Officer, Clerk, Agent or other person shall interfere with, or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the Candidate for whom any voter at such polling place is about to vote or has voted.

(3) No elector shall, except in the case provided for in section 75, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he votes to be known.

(4) No person shall, directly or indirectly, induce or endeavor to induce any voter to show his ballot paper after he has marked it so as to make known to any person the name of the Candidate for or against whom he has so marked his vote.

(5) No Candidate, Officer, Clerk or Agent, or other person shall communicate at any time to any person any information as to the number on the back of the ballot paper given to any voter at a polling station, except to a court or Judge lawfully requiring him to do so, or attempt to ascertain at the counting of the votes the number on the back of any ballot paper.

(6) No Candidate, Officer, Clerk, Agent or other person shall communicate at any time to any person any information obtained at a polling place as to the Candidate for whom any voter at such polling place is about to vote or has voted.

(7) Every Candidate, Officer, Clerk and Agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such Candidate, Officer, Clerk or Agent shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the Candidate for whom any vote is given in any particular ballot paper.

(8) Everyone who violates any of the provisions of this section shall be guilty of an indictable offence and liable to a penalty not exceeding two hundred dollars, and to imprisonment for any term not exceeding six months, with or without hard labor, in default of payment of such penalty.

FLAGS, RIBBONS OR LABELS NOT TO BE FURNISHED OR WORN AFTER NOMINATION DAY.

104. No person shall furnish or supply any ensign, standard or set of colors, or any other flag, to or for any person with intent that it shall be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance

of such election or the polling, by any person as a party flag to distinguish the wearer thereof and those who follow it as the supporters of any Candidate, or of the political or other opinions entertained, or supposed to be entertained, by such Candidate, and no person shall, for any reason, carry or use any such ensign, standard, set of colors or other flag, as a party flag, within such electoral district on the day of any such election or polling or within eight days before such day, or during the continuance of such election.

105. No person shall furnish or supply any ribbon, label or like favor, to or for any person with intent that it be worn or used within such electoral district on the day of election or polling, or within eight days before such day, or during the continuation of such election, by any person as a party badge to distinguish the wearer as the supporter of any Candidate, or of the political or other opinions entertained or supposed to be entertained by such Candidate; and no person shall use or wear any ribbon, label, or other favor, as such badge within such electoral district, on the day of any such election or polling, or within eight days before such day, during the continuance of such election.

106. Every one who offends against any one of the provisions of the three sections next preceeding is guilty of an indictable offence and liable, on summary conviction, to a penalty not exceeding one hundred dollars, or to be imprisoned for a term not exceeding three months, or both, in the discretion of the court.

CORRUPT PRACTICES AND OTHER ILLEGAL ACTS

108. The following persons are guilty of bribery and shall be punishable accordingly.

- (a) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers or promises any office, place or employment, or promises to procure or to endeavor to procure any office, place or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote, or refrain from voting, or corruptly does any such act as aforesaid, on account of any voter having voted or refrained from voting at any election.
- (b) Every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers or promises any money or valuable consideration, to or for any voter, or to or for any person on behalf of any voter or to or for any person, in order to induce any voter to vote, or refrain from voting, or corruptly does any such act on account of such voter having voted or refrained from voting at any election.

- (c) Every person who directly, or indirectly, by himself or by any other person on his behalf, makes any gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavor to procure the return of any person to serve in the House of Commons, or the vote of any voter at any election.
- (d) Every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavors to procure the return of any person to serve in the House of Commons, or the vote of any voter at an election.
- (e) Every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery or corrupt practices at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery or corrupt practices at any election.
- (f) Every person who, directly or indirectly, by himself or by any other person in his behalf, on account of and as payment for voting or for his having voted, or for illegally agreeing or having agreed to vote for any Candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any Candidate at an election, applies to such Candidate, or his Agent or Agents, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration, or of any office, place or employment, or the promise of any office, place, or employment.
- (g) Every voter who, before or during any election, directly or indirectly, himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment for himself or any other person for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election.
- (h) Every person who, after an election, directly or indirectly, himself or by any other person on his behalf, receives any money or valuable consideration for having voted or refrained from voting, or for having induced any other person to vote or refrain from voting at any election.
- (i) Every person who, to induce a person to allow himself to be nominated as a Candidate, or to refrain from becoming a Candidate, or to withdraw if he has become a Candidate, gives or procures any office, place or employment, or agrees to give or procure any office, place or employment for such person or any other person.

And every person so offending is guilty of an indictable offence and liable to imprisonment for a term not exceeding six months, and also shall forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

Provided always, that the actual personal expenses of any Candidate, his expenses for actual professional services performed, and bona fide payment for the fair costs of printing and advertising, shall be held to be expenses lawfully incurred, and the payment thereof shall not be a violation of this Act.

109. Every Candidate or other person who, at an election, either provides or furnishes drink or other refreshments at the expense of such Candidate, to an elector during such election, or pays for, procures or engages to pay for any such drink or other refreshment, is guilty of an indictable offence and liable to a penalty not exceeding one hundred dollars.

(2). It shall be deemed a false pretence within the meaning of this section to represent to a voter, directly or indirectly, that the ballot to be used, or the mode of voting at the election, is not secret.

113. The hiring or promising to pay or paying for any horse, team, carriage, cab, or other vehicle, by any Candidate or by any person on his behalf, to convey any voter or voters to or from the poll, or to or from the neighborhood thereof, at any election, or the payment, by any candidate or any other person on his behalf, of the travelling and other expenses of any voter, in going to or returning from any election, are unlawful acts, and every Candidate or other person so offending shall forfeit the sum of one hundred dollars to any person who sues therefor; and any voter hiring any horse, cab, cart, waggon, sleigh, carriage or other conveyance for any Candidate, or for any Agent of a Candidate for the purpose of conveying any voter or voters to or from the polling place or places, shall, *ipso facto*, be disqualified from voting at such election, and shall, for every such offence, forfeit the sum of one hundred dollars to any person who sues therefor.

114. Every person who, at an election

(a) Applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person; or

(b) Having voted once at any such election, applies at the same election for a ballot paper in his own name,

is guilty of personation and liable to a penalty not exceeding two hundred dollars and not less than fifty dollars and to imprisonment for a term not exceeding two years and not less than three months.

115. Every person who aids, abets, counsels or procures the commission by any person of the offence of personation shall be liable to a penalty not exceeding two hundred dollars and not less than one

hundred dollars, and to imprisonment for a term not exceeding two years and not less than three months.

116. Every Candidate who corruptly, by himself or by or with any other person on his behalf, compels, or induces or endeavors to induce any person to personate any voter, or to take any false oath in any matter wherein an oath is required under this Act, is guilty of an indictable offence, and shall, in addition to any other punishment to which he is liable for such offence, forfeit the sum of two hundred dollars, to any person who sues therefor.

117. Every person who votes or induces or procures any person to vote at an election, knowing that he, or such person, is not entitled to vote thereat, is guilty of an unlawful act, and shall forfeit the sum of one hundred dollars to any person who sues therefor, with costs, and in any suit for the recovery of the penalty, the burden of the proof of such person being entitled to vote at the election shall be upon him and not upon the person suing.

118. Any person who before or during an election knowingly publishes a false statement of the withdrawal of a Candidate at such election, for the purpose of promoting or procuring the election of another Candidate, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor with costs.

119. A Candidate shall not be liable, nor shall his election be voided, for any unlawful act under the two sections next preceding committed by his Agent other than his Agent appointed under the provisions of section 143.

120. Any wilful offence against any one of the twelve sections of this Act next preceding, is a corrupt practice within the meaning of this Act.

121. Every executory contract, or promise, or undertaking, in any way referring to, arising out of or depending upon any election under this Act, even for the payment of lawful expenses, or the doing of some lawful act, shall be void in law

CRIMINAL AND CIVIL PROCEDURE.

131. All penalties and forfeitures (except in cases of indictable offences and offences made punishable on summary conviction) imposed by this Act shall be recoverable or enforceable with full costs of suit by any person who sues therefor by action of debt or information, in any court of competent jurisdiction in the province in which the cause of action arises, and in default of payment of the amount which the offender is condemned to pay, within the period fixed by the court, the offender shall be imprisoned in the common jail of the county or district for any term less than two years, unless such penalty and costs are sooner paid; but no action or information for the recovery of any

such penalty or forfeiture shall be commenced unless the person suing therefor has given good and sufficient security, to the amount of fifty dollars, to indemnify the defendant for the costs occasioned by his defence, if the person suing is condemned to pay such costs.

132. If a person is charged at a polling place with having committed the offence of personation, the Deputy Returning Officer at such polling place may, and if requested to do so on behalf of a Candidate shall take the information on oath of the person making the charge; and such information may be in the form DD.

(2). If the person against whom it is proposed to lay the information has not left the polling place, the Deputy Returning Officer may, either on his own motion or at the request of anyone proposing forthwith to lay an information against such person, detain or direct the detention of such person until an information can be drawn up.

(3). Upon receiving the information the Deputy Returning Officer may, on the polling day, but not afterwards, issue his warrant, in the form EE, for the arrest of the person charged, in order that he may be brought before the magistrate or one of the magistrates therein named, to answer to the said information and to be further dealt with according to the law.

(4). The Magistrate or Magistrates named in the warrant shall be as defined by section 782 of the Criminal Code, 1892, as amended, and the nearest available within the county.

(5). The provisions of Part IV. of the said Code shall apply to the proceedings under this section.

(6). Such warrant shall be sufficient authority for any peace officer (as defined by the Criminal Code, 1892,) to detain such person until he is brought before the magistrate.

(7). If the correct name of the person charged is unknown to the informant, it shall be sufficient in the information and other proceedings to describe the person so charged as a person whose name is to the informant unknown, but who is detained under the order of the Deputy Returning Officer; or the person charged may be described in such other manner as will suitably identify him, and when the name of the person so charged is ascertained, it shall be stated in any subsequent warrant or proceeding.

(8). Every poll clerk shall have the authority of a constable for the purpose of carrying out the provisions of this section; and every Deputy Returning Officer may appoint such special constables as he deems necessary for the like purpose; and such person shall have full power to act without taking oath.







